

Serial No. 10/602,953

Page 6

REMARKS

Claims 1-22 are pending in this application.

The Office Action rejects claims 11 and 20 under 35 U.S.C. § 112, first paragraph for failing to comply with the written description requirement. This rejection is respectfully traversed. The Office Action alleges, "Limitation 'a third side orthogonal to the first face side and the second face side, the third side coupled to the first face side and the second face side' is not described in the specification." Applicants disagree. In particular, page 3, lines 9-13, expressly state, "The mobile communication device can also include a third side orthogonal to the first face side and the second face side, the third side coupled to the first face side and the second face side and an input lock button coupled to the third side, the input lock button configured to selectively lock and unlock input functionality of the numeric keypad and the text keypad." Accordingly, Applicants request withdrawal of the rejection under 35 U.S.C. § 112, first paragraph.

The Office Action maintains the rejection, under 35 U.S.C. § 102, of claims 1-6, 8, 9, 12-17, 21, and 22 over Barvesten (U.S. Patent No. 6,714,802 B1). The Office Action also maintains the rejection, under 35 U.S.C. § 103, of claim 7 over Barvesten and Riddiford (U.S. Patent No. 6,587,675), claims 10, 18, and 19 over Barvesten and Steele et al. (U.S. Patent Application Pub. No. US 2004/0110490 A1), and claims 11 and 20 over Barvesten and Rolnik et al. (U.S. Patent Application Pub. No. US 2003/0207701 A1). These rejections are respectfully traversed.

In the Response to Arguments section, the Office Action alleges Barvesten teaches a portable communication apparatus 1 together with an accessory device 2 to form a unit that has two faces sides opposite to each other. The first face side has keypad 16. The second face side has keyboard 22 and display 32. Applicants disagree.

In particular, Barvesten expressly illustrates portable communication device 1 and accessory device 2 as separate devices in Fig. 1. Furthermore, Barvesten discloses each device 1 and 2 as having separate housings: 10 for the portable communication device 1 and 20 and 30 for the accessory device 2.

In fact, Barvesten expressly teaches away from the claimed combination. In particular, Barvesten has is absolutely no description of the portable communication device 1 and the

Serial No. 10/602,953

Page 7

accessory device 2 forming a unit that has two face sides opposite to each other. Barvesten always explicitly refers to the portable communication device 1 and the accessory device 2 as separate devices. Thus, Barvesten never refers to a housing having an exterior including a first face side and a second face side and teaches away from the claimed housing because Barvesten refers to separate devices.

The Office Action alleges, "The examiner states that communication apparatus 1 when connected with accessory device 2 forms a unitary housing that has two face sides opposite to each other (see figures 1 and 3)." Applicants disagree.

In particular, there is absolutely no disclosure in Barvesten that "communication apparatus 1 when connected with accessory device 2 forms a unitary housing that has two face sides opposite to each other." As discussed above, Barvesten expressly illustrates the portable communication device 1 and the accessory device 2 as separate devices in Fig. 1. Furthermore, Barvesten discloses each device 1 and 2 as having separate housings: 10 for the portable communication device 1 and 20 and 30 for the accessory device 2.

As further discussed above, Barvesten expressly teaches away from the claimed combination. In particular, Barvesten has is absolutely no designation of the portable communication device 1 and the accessory device 2 forming a unit that has two face sides opposite to each other. Barvesten always explicitly refers to the portable communication device 1 and the accessory device 2 as separate devices. Thus, Barvesten never refers to a housing having an exterior including a first face side and a second face side and teaches away from the unitary housing claimed in claim 12 because Barvesten refers to separate devices.

Furthermore, the Office Action provides no statutory basis for what "the examiner states" as a proper ground for a rejection under 35 U.S.C. § 102. Thus, the rejection is deficient because the reference does not teach each of the claimed features as required by 35 U.S.C. § 102.

The Office Action also alleges, "The examiner states communication apparatus 1 when connected with accessory device 2 forms a candy-bar style housing that has two face sides opposite to each other." Applicants disagree.

In particular, the Office Action again provides no statutory basis for what "the examiner states" as a proper ground for a rejection. Thus, the rejection is deficient because the reference

Serial No. 10/602,953

Page 8

does not teach each of the claimed features as required by 35 U.S.C. § 102. In particular, there is no teaching of the "candy-bar style housing" recited in claim 21. Not only does Barvesten not disclose a candy-bar style housing, but in Fig. 2 Barvesten explicitly illustrates the accessory device 2 as having a flip style housing, which is not a candy-bar style housing.

The assertions from the previous response are included below for the Examiner's convenience.

Applicants assert that Barvesten does not disclose or suggest a housing having an exterior, the exterior including a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side, a numeric keypad disposed on the first face side, and a text keypad disposed on the second face side, as recited in independent claim 1.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference" (MPEP §2131, citing *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Barvesten discloses a mobile communication apparatus that has a main apparatus housing, a first user interface with a first keypad and a first display, and a second user interface with a second keypad and a second display, where the second keypad and the second display are detachably connectable to the main apparatus housing of the portable communication apparatus (col. 2, lines 61-67). The objects of the invention are achieved by the provision of an accessory device for a portable radio telephone of the above type, where the accessory device has a device housing comprising first and second housing portions, a second keypad is provided in the first housing portion, a second display is provided in the second housing portion, engagement means are provided for physically and operatively connecting the accessory device to the radio telephone (col. 3, lines 1-8).

In particular, Barvesten discloses a portable communication apparatus 1 (also referred to as mobile telephone 1) having an apparatus housing 10 including a display 13 and a numeric telephone keypad 16 (Fig. 1 and col. 3, lines 30-45). Barvesten also discloses a separate accessory device 2 that includes a keyboard 22 and a display 32. The accessory device 2 is detachably inserted into an accessory connector 15 of the mobile telephone 1 (Fig. 1 and col. 4,

Serial No. 10/602,953

Page 9

lines 1-17). Barvesten clearly does not disclose the single claimed housing with two face sides including a numeric keypad on the first face side and a text keypad on the second face side opposite of the first face side. In particular, Barvesten discloses two separate housings. Consequently, the keyboard 22 is not disposed on a second face side of the housing 10 opposite from a first face side of the housing 10 including the keypad 16. In particular, the keyboard 22 is disposed on the accessory device 2, not on a second face side opposite a first face side of the housing 10.

Furthermore, Barvesten does not disclose a housing exterior including the first face side having a numeric keypad and the second face side having a text keypad. In particular, the accessory device 2 is foldable between a closed position and an open position (Figs. 2 and 3 and col. 4, lines 19-20). The keyboard 22 is clearly illustrated in Fig. 2 as being disposed in an interior section of the accessory device 2 and is only exposed when the accessory device 2 is open. Therefore, Barvesten does not disclose a housing exterior including the first face side having a numeric keypad and the second face side having a text keypad.

Thus, Barvesten does not disclose or suggest a housing having an exterior, the exterior including a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side, a numeric keypad disposed on the first face side, and a text keypad disposed on the second face side, as recited in independent claim 1.

Applicants also assert that Barvesten does not disclose or suggest a unitary housing including a first face side and a second face side, the second face side facing an opposite direction from the first face side, a user interface including a numeric keypad disposed on the first face side, and a text input device disposed on the second face side, as recited in independent claim 12.

In particular, Barvesten discloses a portable communication apparatus 1 (also referred to as mobile telephone 1) having an apparatus housing 10 including a display 13 and a numeric telephone keypad 16 (Fig. 1 and col. 3, lines 30-45). Barvesten also discloses a separate accessory device 2 that includes a keyboard 22 and a display 32. The accessory device 2 is detachably inserted into an accessory connector 15 of the mobile telephone 1 (Fig. 1 and col. 4, lines 1-17). Barvesten clearly does not disclose the claimed unitary housing with two face sides,

Serial No. 10/602,953

Page 10

including a numeric keypad on the first face side and a text keypad on the second face side opposite of the first face side. In particular, Barvesten discloses two separate housings. Consequently, the keyboard 22 is not disposed on a second face side of the housing 10 opposite from a first face side of the housing 10 including the keypad 16. The keyboard 22 is disposed on the accessory device 2, not on a second face side opposite a first face side of the housing 10. Therefore, Barvesten does not disclose the keyboard 22 and the keypad 16 on a unitary housing.

Thus, Barvesten does not disclose or suggest a unitary housing including a first face side and a second face side, the second face side facing an opposite direction from the first face side, a user interface including a numeric keypad disposed on the first face side, and a text input device disposed on the second face side, as recited in independent claim 12.

Applicants further assert that Barvesten does not disclose or suggest a candy-bar style housing having a first face side and a second face side, the second face side on an opposite side of the housing from the first face side, means for inputting numbers coupled to the first face side, and means for inputting text coupled to the second face side, as recited in independent claim 21.

In particular, Barvesten discloses a portable communication apparatus 1 (also referred to as mobile telephone 1) having an apparatus housing 10 including a display 13 and a numeric telephone keypad 16 (Fig. 1 and col. 3, lines 30-45). Barvesten also discloses a separate accessory device 2 that includes a keyboard 22 and a display 32. The accessory device 2 is detachably inserted into an accessory connector 15 of the mobile telephone 1 (Fig. 1 and col. 4, lines 1-17). Barvesten clearly does not disclose the single claimed candy-bar housing with two face sides including means for inputting numbers on the first face side and means for inputting text on the second face side opposite of the first face side. In particular, Barvesten discloses two separate housings. The keyboard 22 is not disposed on a second face side of the housing 10 opposite from a first face side of the housing 10 including the keypad 16. The keyboard 22 is disposed on the accessory device 2, not on a second face side opposite a first face side of the housing 10.

Furthermore, Barvesten does not disclose a housing exterior including the first face side having means for inputting numbers and the second face side having means for inputting text. In particular, the accessory device 2 is foldable between a closed position and an open position

Serial No. 10/602,953

Page 11

(Figs. 2 and 3 and col. 4, lines 19-20). The keyboard 22 is clearly illustrated in Fig. 2 as being disposed in an interior section of the accessory device 2 and is only exposed when the accessory device 2 is open. Furthermore, the fact that the accessory device 2 can be opened and closed illustrates how Barvesten discloses a flip style housing for the keyboard 22, not a candy-bar style housing.

Thus, Barvesten does not disclose or suggest a candy-bar style housing having a first face side and a second face side, the second face side on an opposite side of the housing from the first face side, means for inputting numbers coupled to the first face side, and means for inputting text coupled to the second face side, as recited in independent claim 21.

Therefore, Applicants respectfully submit that independent claims 1, 12, and 21 define patentable subject matter. The remaining claims depend from the independent claims and therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103.

#### CONCLUSION

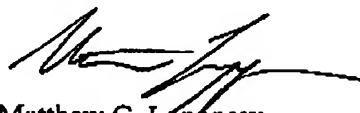
Based on the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-22 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Serial No. 10/602,953  
Page 12

The Commissioner is hereby authorized to deduct any fees arising as a result of this Amendment or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

Respectfully submitted,



Matthew C. Loppnow  
Attorney for Applicant  
Registration No. 45,314

Dated: June 29, 2005

Phone No. (847) 523-2585  
Fax No. (847) 523-2350

Please send correspondence to:  
Motorola, Inc.  
Intellectual Property  
600 North U.S. Highway 45  
Libertyville, IL 60048